

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

JUSTIN MORALES,

Defendant.

24-CR-084 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

Trial in this case is scheduled to begin on Monday, July 22, 2024. This order addresses two scheduling matters and raises a factual question for counsel to address.

July 8 conference: The Court schedules a conference on **Monday, July 8, 2024**, for **10 a.m.** in **Courtroom 1305** of the Thurgood Marshall Courthouse, 40 Foley Square, New York, NY. The conference will predominantly serve to enable the Court to inquire of counsel about pretrial motions, which are in the process of being briefed. The Court may be in a position, at that conference, to resolve certain motions. In addition, in the event that the Court determines that an evidentiary hearing is warranted on the defendant's motion to suppress, the Court would hear testimony on that motion. The Court will make that determination promptly after that motion is fully briefed. The Court directs counsel to assure the availability that day of the witness(es) whom either side would call at such a hearing. In the event that the afternoon on July 8 is more convenient for counsel or witnesses, the Court is open, on a prompt joint request, to move the conference to that afternoon.

July 10 conference: To accommodate its own schedule, the Court must move the final pretrial conference, currently scheduled for July 11, 2024, one day earlier, to **July 10**. That

conference will be held at **2 p.m.** in **Courtroom 1305** of the Thurgood Marshall Courthouse, 40 Foley Square, New York, NY. At that conference, the Court expects to resolve any outstanding pretrial motions. The Court will also take up the full range of customary topics for a final pretrial conference, including reviewing the process for jury selection.

Factual question: On its review of the parties' opening motion papers, the Court notes that the defendant was arrested for the shooting at issue by the NYPD on May 2, 2023, and was arrested federally on January 18, 2024. The Court asks Government counsel to submit a letter addressing the status of the state charge(s) against the defendant during the period between those two dates, including whether the defendant was indicted and received discovery, and specifically addressing the status of those charges as of the January 2024 dates when the Government contends the defendant accessed case-relevant information on the Internet and a photograph of the site of the shooting. The letter should also address whether the defendant had reason to be aware of a federal investigation prior to his federal arrest. The Court invites but does not require defense counsel to submit a letter addressing these questions. Counsels' letters are due on the due date (June 24) of the parties' opposition briefs. In lieu of a letter, counsel may address these questions in those briefs.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: June 14, 2024
New York, New York